



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: January 28, 2013
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / Kate.Green@portlandoregon.gov

NOTICE OF A TYPE I PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 45 days, **we need to receive your written comments by 5 p.m. on February 27, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-166386 LDP, in your letter. It also is helpful to address your letter to me, Kate Green.

CASE FILE NUMBER: LU 12-166386 LDP

Applicant: Peter Finley Fry
2153 SW Main Street #105
Portland OR 97205

Property Owners: Don Riddle/Applied Plastics
5020 SE 26th Avenue
Portland OR 97202

CAST LLC
11215 SE Lexington Street
Portland OR 972

Site Address: 5020 SE 26TH AVENUE
Legal Description: TL 5000 1.15 ACRES, SECTION 13 1S 1E
Tax Account No.: R991131300
State ID No.: 1S1E13BC 05000
Quarter Section: 3533

Neighborhood: Reed, contact Gabe Headrick at gabe.headrick@reedneighborhood.org
Business District: Greater Brooklyn, contact David Weislogel at 503-239-9050
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010

Zoning: General Industrial 1 (IG1)
Case Type: Land Division-Partition (LDP)
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal: The applicant requests a **Land Division-Partition** in order to divide an approximately 50,055 square foot property into two parcels.

Parcel 1 will be approximately 16,599 square feet. Right-of-way dedications will be required along the street frontages of Parcel 1 (a one-foot dedication along SE 26th Avenue, and a four-foot dedication along SE Raymond Street). An existing easement (for telecom equipment) is located in

the northeast corner of Parcel 1. The equipment within the easement is proposed to remain; other features on Parcel 1 are noted to be removed (including fencing, concrete docks, an electrical transformer, a power pole and overhead lines).

Parcel 2 will be approximately 32,744 square feet; and an existing building and loading docks will be retained on this parcel.

This partition is reviewed through a Type I land use review because: (1) the site is in a commercial, employment, or industrial zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (see 33.662.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create 2 units of land (2 parcels). Therefore this land division is considered a partition.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in **Section 33.662.120, Approval Criteria for Land Divisions in Commercial, Employment, and Industrial zones.**

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal or complete within 180 days. This application was submitted on July 27, 2012 and determined to be complete on January 23, 2013.

DECISION MAKING PROCESS: The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and either:

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Avenue, Suite 4500, Portland, OR 97201. There will be no public hearing.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

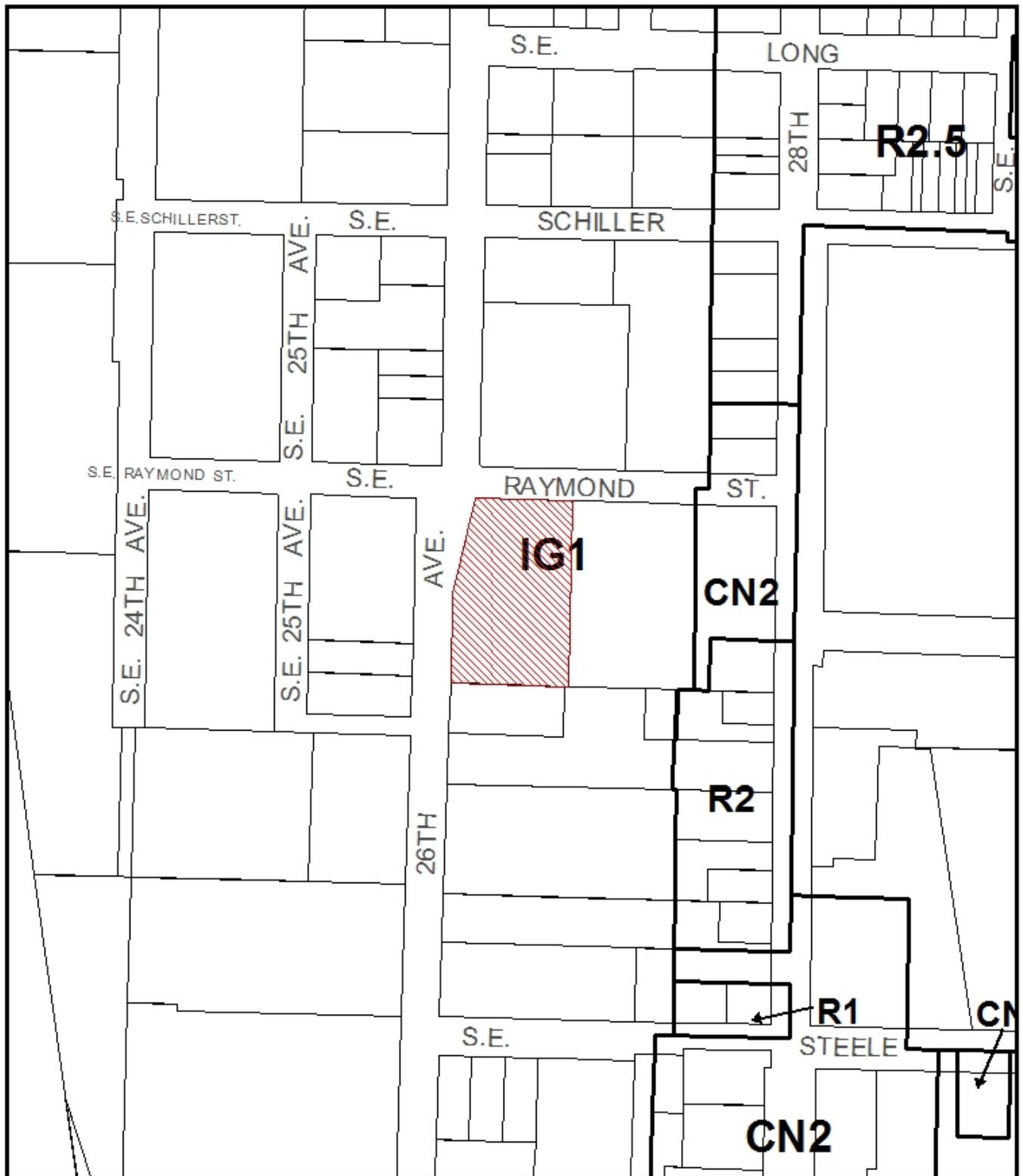
ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

APPEAL PROCESS: If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol Street NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for

comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures: Zoning Map
Preliminary Plat Plan
Existing Conditions/Demolition Plan
Site Utility Plan



ZONING

 Site



File No.	<u>LU 12-166386 LDP</u>
1/4 Section	<u>3533</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E13BC 5000</u>
Exhibit	<u>B (Jul 31, 2012)</u>

SUPPLEMENTAL PARTITION PLAT NO.

TAX LOT 5000, BLOCK 201

SITUATED IN THE NORTHWEST 1/4 OF SECTION 13, T. 1 S., R. 1 E., W.M.,
CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON

SURVEYOR: CHASE, JONES & ASSOCIATES, INC.
JOB NO.: 73169
SCALE: 1" = 40'
1/4 AC.: 3033
PHONE: 503-528-9644

NOTES:
1) THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED IN THE CITY OF PORTLAND CASE NO. L.L.U. -----
2) ALL FALLINGS ARE CARDINAL.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
JULY 14, 1986
ERIC L. JONES
OR 1500

OREGON
JULY 14, 1986
ERIC L. JONES
OR 1500

EXPRESS: 6-30-13

LEGEND

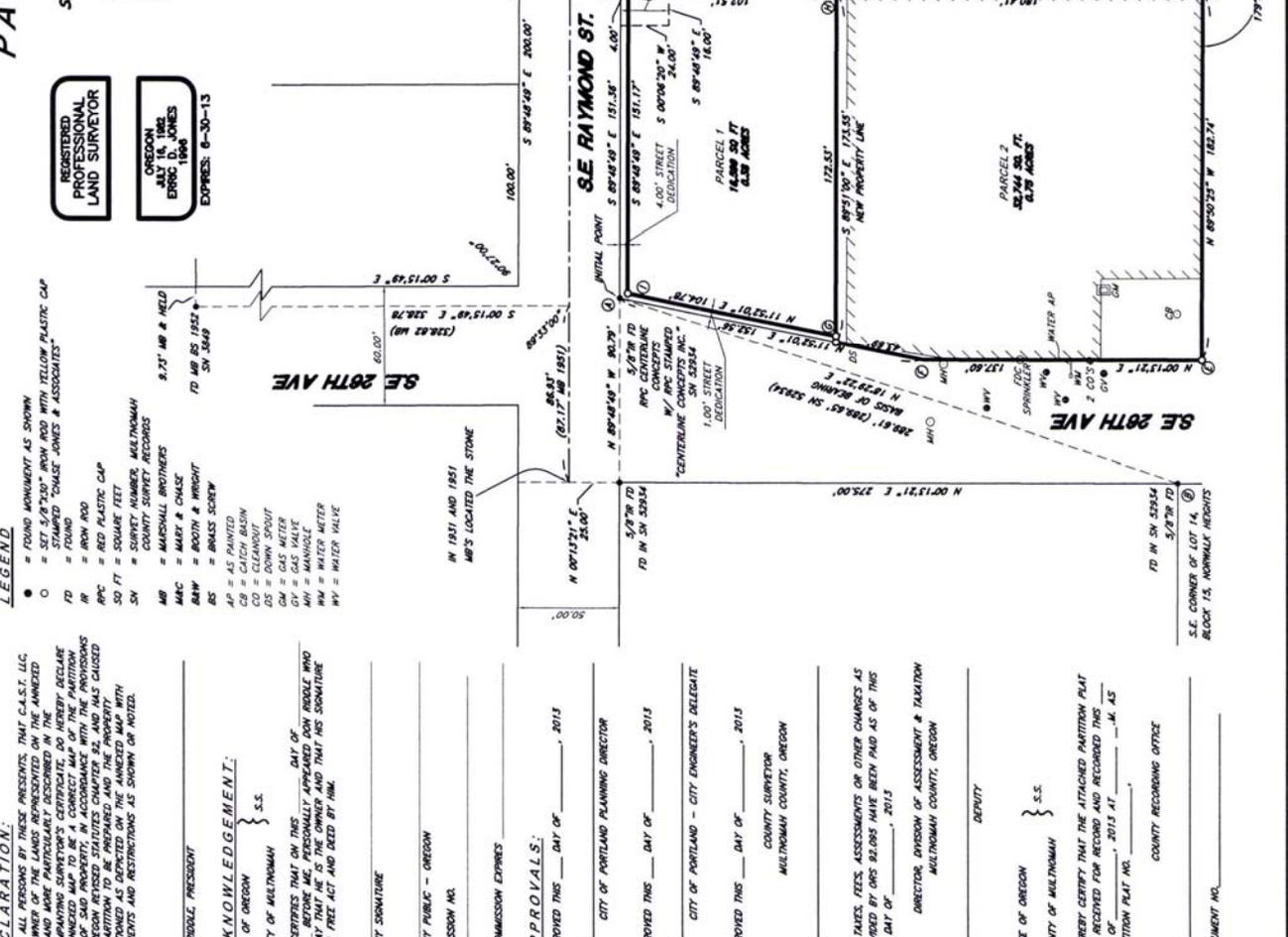
- = FOUND MONUMENT AS SHOWN
- = SET 5/8" DIA. IRON ROD WITH YELLOW PLASTIC CAP
- = STAMPED "CHASE, JONES & ASSOCIATES"
- FD = FOUND
- IR = IRON ROD
- RPC = RED PLASTIC CAP
- SO FT = SQUARE FEET
- SN = SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
- MB = MARSHALL BROTHERS
- MAR = MARY & CHASL
- BS = BUSH & WRIGHT
- AS = BRASS SCREW
- AP = AS PAINTED
- CB = CATCH BASIN
- DD = DOWN SPOUT
- GS = GAS VALVE
- GH = GAS VALVE
- WH = WATER METER
- WV = WATER VALVE

DECLARATION:

KNOW ALL PERSONS BY THESE PRESENTS, THAT C.A.S.T. LLC, THE OWNER OF THE LANDS REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED IN THE ANNEXED MAP, DO HEREBY DECLARE THAT THE ANNEXED MAP TO BE A CORRECT MAP OF THE PARTITION PLAT OF SAID PROPERTY, IN ACCORDANCE WITH THE PROVISIONS OF OREGON REVISED STATUTES CHAPTER 32, AND HAS CAUSED SAID MAP TO BE REGISTERED IN THE PUBLIC RECORDS OF SAID COUNTY AND RESTRICTIONS AS SHOWN OR NOTED.

ACKNOWLEDGEMENT:
STATE OF OREGON } S.S.
COUNTY OF MULTNOMAH }
THIS CERTIFIES THAT ON THIS _____ DAY OF _____, 2013, BEFORE ME, PERSONALLY APPEARED DON RIDDLE WHO DID SAY THAT HE IS THE OWNER AND THAT HIS SIGNATURE WAS A FREE ACT AND DEED BY HIM.

NOTARY SIGNATURE _____
NOTARY PUBLIC - OREGON _____
COMMISSION NO. _____
MY COMMISSION EXPIRES _____
APPROVALS:
APPROVED THIS _____ DAY OF _____, 2013
BY: _____
CITY OF PORTLAND PLANNING DIRECTOR
APPROVED THIS _____ DAY OF _____, 2013
BY: _____
CITY OF PORTLAND - CITY ENGINEER'S DELEGATE
APPROVED THIS _____ DAY OF _____, 2013
COUNTY SURVEYOR
MULTNOMAH COUNTY, OREGON
BY: _____
ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS 82.085 HAVE BEEN PAID AS OF THIS DAY OF _____, 2013
DIRECTOR, DIVISION OF ASSESSMENT & PARTITION
MULTNOMAH COUNTY, OREGON
BY: _____ DEPUTY
STATE OF OREGON }
COUNTY OF MULTNOMAH } S.S.
I HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS REGISTERED FOR RECORD AND RECORDED THIS DAY OF _____, 2013 AT _____ A.M. AS PARTITION PLAT NO. _____
COUNTY RECORDING OFFICE
BY: _____
DOCUMENT NO. _____



SURVEYOR'S CERTIFICATE:
I, ERIC L. JONES, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED THE PARTITION PLAT SHOWN ON THIS SUPPLEMENTAL PARTITION PLAT. THE PARTITION PLAT SHOWS THE PARTITIONING OF THE LANDS BEING THAT TRACT DESCRIBED IN DOCUMENT NUMBER 99-009412 BEING IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, COUNTY OF MULTNOMAH, AND THE STATE OF OREGON. BEING 5.27 ACRES, MORE OR LESS, WITH A RED PLASTIC CAP STAMPED "CENTERLINE CONCEPTS INC." WHICH BEARS NORTH 18°29'21" EAST 288.61 FEET FROM A 5/8" IRON ROD MARKING THE SOUTHWEST CORNER OF LOT 14, BLOCK 15, NORMALLY HERETOFORE KNOWN AS THE PARTITIONING OF THE SAID DOCUMENT 99-009412; THENCE SOUTH 00°04'20" WEST, ALONG THE EAST LINE OF SAID DOCUMENT 288.92 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH S 75°50'25" WEST ALONG THE SOUTH LINE OF SAID DOCUMENT 100.00 FEET TO THE SOUTHWEST CORNER OF SAID DOCUMENT; THENCE NORTH 00°15'21" EAST 151.60 FEET AND 2) NORTH 11°32'01" EAST 152.56 FEET TO THE INITIAL POINT.

THE ABOVE DESCRIBED TRACT CONTAINS 50.055 SQUARE FEET, MORE OR LESS.

NARRATIVE:
1) THE PURPOSE OF THIS SURVEY IS TO PARTITION INTO TWO PARCELS THAT TRACT DESCRIBED IN DOCUMENT #99-009412.
2) I HELD POINTS (1) & (2) AS A BASIS OF BEARING AS CALCULATED ON SN 52934.
3) FROM (1) HELD S 89°48'49" E 151.56' PER SN 52934 TO (2).
4) FROM (2) HELD S 00°04'20" W 288.92' PER SN 52934 TO (3).
5) FROM (3) HELD N 87°50'25" W 182.74' PER SN 52934 TO (4).
6) FROM (4) HELD N 00°15'21" E 151.60' PER SN 52934 TO (5).
7) FROM (5) HELD N 11°32'01" E 152.56' PER SN 52934 TO (6).
8) I THEN SET POINTS (1), (2), (3), (4), (5), AND (6) PER THE CLIENT.

LU 12-166386

